

REMARKS

Reconsideration and allowance of the claims are requested in view of the above amendments and the following remarks.

Claims 1, 5, 10, and 13 have been amended. Support for the amendments to the claims may be found throughout the specification. No new matter has been added.

Claims 2, 3, 4, 6, 12, and 16 have been cancelled.

Upon entry of the amendments, Claims 1, 5, 7-11, and 13-15, will be pending in the present application, with Claims 1, 5, 10, and 13 being independent claims.

1. **Rejection of Claims under 35 U.S.C. § 102.**

Claims 1-2, 4-7, 9-10, and 12-16 were rejected by the Office Action under 35 U.S.C. § 102 (b) as being anticipated by McGonigal, et al. (U.S. Patent No. 5,945, 918).

Specifically regarding Claim 4, the Office Action asserts anticipation by McGonigal for a signal generator selector switch installed in the remote control, claiming that it is shown in the McGonigal alarm device 87 located in the remote control device 3 (in Figures 2-4, column 4, line 25, to column 5, line 40). However, the Office Action is incorrect in this statement. No signal generator selector switch is found in the McGonigal reference, contrary to the Office Action's statement.

Likewise, Claims 1-2, 5-7, 10, 12-14, and 16 were rejected under 35 U.S.C. § 102(b) as being anticipated by Herz (U.S. Patent No. 6, 407,779). However, Herz also contains no signal selector switch.

The limitation of a signal selector switch has been incorporated by amendment into Claim 1. Claim 1 as amended is therefore in condition for allowance over both McGonigal and Herz, since neither McGonigal or Herz teach a signal selector switch and therefore these references cannot anticipate Claim 1 as amended.

Claims 2, 3, and 4 are herein cancelled, so that rejections of those claims are now moot.

Claims 5, 6, 7, 9, 10, and 12, were rejected by the Office Action “for the same reason as discussed in Claims 1 ... 2 ... 4”, i.e., anticipation by McGonigal.

However, Claim 5 is currently amended to incorporate element (e) “wherein the electrical device is one of: a radio, a personal computer, a robot, a garage door, and an interactive video playing device.” Contrary to the incorrect statement of the Office Action, McGonigal never mentions a radio, a personal computer, a robot, a garage door, an MP3 player, or an interactive video game playing advice. Therefore, Claim 5 as amended cannot be anticipated by McGonigal.

The Office Action also rejects Claim 5 under Section 35 U.S.C. § 102(b) as anticipated by Herz. However, Herz also fails to mention a radio, a personal computer, a robot, a garage door, an MP3 player, or an interactive video game playing advice. Therefore, Herz cannot anticipate Claim 5 as amended.

Therefore, Claim 5 as amended is in condition for allowance over both McGonigal and Herz, since neither McGonigal or Herz can anticipate Claim 5 as amended.

Claim 6 is cancelled, so any rejection of Claim 6 is moot.

Claims 7, 8, and 9 depend from Claim 5. Since Claim 5 is now in allowable condition, Claims 7, 8, and 9 are also allowable.

Claim 10 is also rejected by the Office Action as being anticipated by McGonigal. However, Claim 10 as amended contains a limitation “wherein the electric advice is one of the group comprising a radio, a personal computer, a robot, a garage door, an MP3 player, and an interactive video game playing device.” Such devices are not taught by McGonigal and therefore McGonigal cannot anticipate Claim 10 as amended.

The Office Action also rejects Claim 10 as anticipated by Herz. However, Herz, like McGonigal, does not teach such devices and therefore Herz also cannot anticipate Claim 10. Therefore, Claim 10 is in condition for allowance over both McGonigal and Herz.

Claim 11 depends from Claim 10, which is now allowable, and therefore Claim 11 is also allowable.

Claim 12 is cancelled, so any rejection of Claim 12 is now moot.

The Office Action also rejected Claim 13 as being anticipated by McGonigal and Herz. However, Claim 13 is currently amended to incorporate as a limitation “wherein the remote control is adapted to control at least one of the group of devices including: a radio, a personal computer, a robot, a garage door, an MP3 player, and an interactive video game playing device.” None of these devices are mentioned by McGonigal or Herz. Therefore, Claim 13 as amended cannot be anticipated by either McGonigal or Herz. Therefore, Claim 13 is in condition for allowance.

Claims 14 and 15 depend on Claim 13 which is now in condition for allowance, and therefore Claims 13 and 14 are in condition for allowance.

Claim 16 is cancelled. Therefore, any rejection of Claim 16 is now moot.

2. Rejection under 35 U.S.C. § 103 for Obviousness.

The Office Action rejects Claims 3, 8, and 11 under 35 U.S.C. § 103(a) as being unpatentable for obviousness over McGonigal, et al. (U.S. Patent No. 5, 945, 918).

However, this Amendment cancels Claim 3. Therefore, all rejections of Claim 3 are now moot.

Claim 8 depends from Claim 5. Claim 5 as currently amended is now in condition for allowance. Therefore, Claim 8 which depends on Claim 5 is now in condition for allowance.

Claim 11 depends from Claim 10. Claim 10 as currently amended is in condition for allowance. Therefore, Claim 11 which depends from Claim 10 is now in condition for allowance.

3. Conclusion.

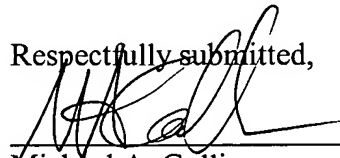
In view of the above, the pending claims clearly recite elements that are not anticipated by the prior art. Therefore, such claims are allowable for at least this reason. Accordingly, reconsideration and withdrawal of the rejections are requested.

The present application is in condition for allowance and favorable action in the form of a Notice of Allowance is requested. Should the Examiner believe that this application is in condition for disposition other than allowance, the Examiner is invited to contact the undersigned at the telephone number listed below in order to address the Examiner's concerns.

The Commissioner is hereby authorized to charge any additional fees which may be required for this Amendment, or credit any overpayment to deposit account no. 22-0261.

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Respectfully submitted,



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